

ESTTA Tracking number: **ESTTA274187**

Filing date: **03/25/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Speed Channel, Inc.
Granted to Date of previous extension	03/25/2009
Address	10201 West Pico Boulevard LOS ANGELES, CA 90035 UNITED STATES

Attorney information	Daniel E. Bruso Cantor Colburn LLP 20 Church Street, 22nd Floor Hartford, CT 06103-3207 UNITED STATES DBruso@cantorcolburn.com, DMayhew@cantorcolburn.com Phone:860-286-2929
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Applicant Information

Application No	77476098	Publication date	11/25/2008
Opposition Filing Date	03/25/2009	Opposition Period Ends	03/25/2009
Applicant	Phoenix 2008 LLC 114 Ferris Hill Rd New Canaan, CT 06840 UNITED STATES		

Goods/Services Affected by Opposition

Class 038. All goods and services in the class are opposed, namely: Cable television broadcasting; Audio and video broadcasting services over the Internet; Radio and television broadcasting services
Class 041. All goods and services in the class are opposed, namely: Entertainment services, namely, an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation provided through television broadcasts, cable and satellite television, radio broadcasts, mobile communications devices, wireless networks, and global computer networks; Entertainment services, namely, production of CDs, DVDs, videotapes, and pre-recorded digital media featuring an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation; Production of cable television programs

Applicant Information

Application No	77497086	Publication date	11/25/2008
Opposition Filing	03/25/2009	Opposition	

Date		Period Ends	
Applicant	Phoenix 2008 LLC 114 Ferris Hill Rd New Canaan, CT 06840 UNITED STATES		

Goods/Services Affected by Opposition

Class 016.

All goods and services in the class are opposed, namely: Publications, namely, newsletters, magazines, and journals in the fields of automobiles, airplanes, motorcycles, boats, and other modes of transportation

Applicant Information

Application No	77476107	Publication date	11/25/2008
Opposition Filing Date	03/25/2009	Opposition Period Ends	
Applicant	Phoenix 2008 LLC 114 Ferris Hill Rd New Canaan, CT 06840 UNITED STATES		

Goods/Services Affected by Opposition

Class 038.

All goods and services in the class are opposed, namely: Cable television broadcasting; Radio and television broadcasting services; Audio and video broadcasting services over the Internet

Class 041.

All goods and services in the class are opposed, namely: Entertainment services, namely, an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation provided through television broadcasts, cable and satellite television, radio broadcasts, mobile communications devices, wireless networks, and global computer networks; Entertainment services, namely, production of CDs, DVDs, videotapes, and pre-recorded digital media featuring an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation; Production of cable television programs

Applicant Information

Application No	77478035	Publication date	11/25/2008
Opposition Filing Date	03/25/2009	Opposition Period Ends	
Applicant	Phoenix 2008 LLC 114 Ferris Hill Rd New Canaan, CT 06840 UNITED STATES		

Goods/Services Affected by Opposition

Class 025.

All goods and services in the class are opposed, namely: Shirts; Pants; Jackets; Footwear; Hats; Headwear; Sweat shirts; Coats; Gloves

Class 038.

All goods and services in the class are opposed, namely: Cable television broadcasting; Radio and television broadcasting services; Audio and video broadcasting services over the Internet

Class 041.

All goods and services in the class are opposed, namely: Entertainment services, namely, an on-


going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation provided through television broadcasts, cable and satellite television, radio broadcasts, mobile communications devices, wireless networks, and global computer networks; Entertainment services, namely, production of CDs, DVDs, videotapes, and pre-recorded digital media featuring an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation; Production of cable television programs

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3302139	Application Date	05/03/2006
Registration Date	10/02/2007	Foreign Priority Date	NONE
Word Mark	SPEED		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/02/18 First Use In Commerce: 2002/02/18 Production and distribution of television and radio programs featuring motorsports and entertainment; entertainment services in the nature of television and radio programming featuring motorsports; providing on-line information in the field of motorsports and entertainment via the Internet and wireless devices		

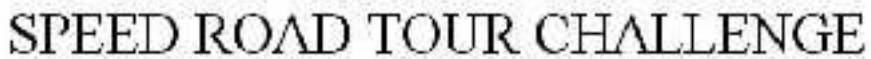
U.S. Registration No.	2780662	Application Date	11/20/2001
Registration Date	11/04/2003	Foreign Priority Date	NONE
Word Mark	SPEED CHANNEL		
Design Mark			


Description of Mark	NONE
Goods/Services	Class 038. First use: First Use: 2002/02/18 First Use In Commerce: 2002/02/18 Streaming of audio materials on the Internet and streaming of video materials on the Internet Class 041. First use: First Use: 2002/02/18 First Use In Commerce: 2002/02/18 Production and distribution of television and radio programs featuring sports and entertainment

U.S. Registration No.	2805030	Application Date	03/03/2003
Registration Date	01/13/2004	Foreign Priority Date	NONE
Word Mark	SPEED ON DEMAND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/03/31 First Use In Commerce: 2002/03/31 Entertainment services in the nature of sports television programs available via a global communications network		

U.S. Registration No.	3318207	Application Date	08/03/2006
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	SPEED REPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2006/08/06 First Use In Commerce: 2006/08/06 Entertainment services in the nature of an ongoing television program featuring sports		

U.S. Registration No.	3463037	Application Date	11/29/2006
Registration Date	07/08/2008	Foreign Priority Date	NONE
Word Mark	SPEED ROAD TOUR CHALLENGE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2007/02/15 First Use In Commerce: 2007/02/15 Entertainment services in the nature of a television series in the reality genre

U.S. Registration No.	3128705	Application Date	07/01/2004
Registration Date	08/15/2006	Foreign Priority Date	NONE
Word Mark	SPEED		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/02/18 First Use In Commerce: 2002/02/18 Production and distribution of television and radio programs featuring sports and entertainment		

U.S. Application No.	78969990	Application Date	09/08/2006
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SPEED GARAGE		

Design Mark	SPEED GARAGE
Description of Mark	NONE
Goods/Services	Class 041. First use: Entertainment services in the nature of providing television programs and downloadable television programs featuring automotive repairs via the Internet; entertainment services in the nature of video programs featuring motor vehicles transmitted via wireless communication devices, namely cell phones, personal digital assistants, computers, and wireless handhelds; production and distribution of audio visual entertainment namely, video programs featuring motor vehicles transmitted via mobile communication devices, namely cell phones, personal digital assistants, computers, and wireless handhelds

Attachments	78875963#TMSN.jpeg (1 page)(bytes) 78094451#TMSN.gif (1 page)(bytes) 78944567#TMSN.jpeg (1 page)(bytes) 77053115#TMSN.jpeg (1 page)(bytes) 78445034#TMSN.jpeg (1 page)(bytes) 78969990#TMSN.jpeg (1 page)(bytes) 29U1157.PDF (44 pages)(3272738 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Daniel E. Bruso/
Name	Daniel E. Bruso
Date	03/25/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial Nos.:	77476098 77497086 77476107 77478035
Filed:	May 15, 2008 June 12, 2008 May 15, 2008 May 19, 2008
Marks:	SPEEDVISION SPEEDVISION SPEEDVISION HD SPEEDVISION (and Design)
Publication Date:	November 25, 2008 (for all opposed applications)

SPEED CHANNEL, INC.

Opposer,

Y.

PHOENIX 2008 LLC

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

Opposer SPEED CHANNEL, INC. (formerly known as the Speedvision Network, LLC), a corporation organized and existing under the laws of the State of Delaware, United States of America, with a principal place of business located at 10201 W. Pico Boulevard, Los Angeles, California 90035, United States, (formerly located at 10000 Santa Monica Boulevard, Los Angeles, California 90067, United States), (hereinafter “Opposer”) believes that it has or will be damaged by the registration of:


- a. Application Serial No. 77476098 for SPEEDVISION (the “ ‘098 Application”);
- b. Application Serial No. 77497086 for SPEEDVISION (the “ ‘086 Application”);
- c. Application Serial No. 77476107 for SPEEDVISION HD (the
“ ‘107 Application”); and
- d. Application Serial No. 77478035 for SPEEDVISION (and Design) (the
“ ‘035 Application” and, collectively the “Opposed Applications”).

As grounds for opposition, and in accordance with the provisions of section 13 of the Lanham Act (15 U.S.C. § 1063), Opposer alleges as follows:

1. According to the records of the United States Patent and Trademark Office, Applicant Phoenix 2008 LLC, a Limited Liability Company registered in the State of Delaware, filed the four Opposed Applications as Intent-to-Use applications on the dates identified in Table 1, for the goods and services and in the International Classes identified in Table 1.

TABLE 1

APPLICATION SERIAL NO., MARK AND DESIGN	FILING DATE	DESCRIPTION OF GOODS AND SERVICES
77476098 SPEEDVISION	May 15, 2008	Cable television broadcasting; Audio and video broadcasting services over the Internet; Radio and television broadcasting services in International Class 38 Entertainment services, namely, an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation provided through television broadcasts, cable and satellite television, radio broadcasts, mobile communications devices, wireless networks, and global computer networks; Entertainment services, namely, production of CDs, DVDs, videotapes, and pre-recorded digital media featuring an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of

APPLICATION SERIAL NO., MARK AND DESIGN	FILING DATE	DESCRIPTION OF GOODS AND SERVICES
		transportation; Production of cable television programs in International Class 41
77497086 SPEEDVISION	June 12, 2008	Publications, namely, newsletters, magazines, and journals in the fields of automobiles, airplanes, motorcycles, boats, and other modes of transportation in International Class 16
77476107 SPEEDVISION HD	May 15, 2008	<p>Cable television broadcasting; Radio and television broadcasting services; Audio and video broadcasting services over the Internet in International Class 38</p> <p>Entertainment services, namely, an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation provided through television broadcasts, cable and satellite television, radio broadcasts, mobile communications devices, wireless networks, and global computer networks; Entertainment services, namely, production of CDs, DVDs, videotapes, and pre-recorded digital media featuring an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation; Production of cable television programs in International Class 41</p>
77478035 SPEEDVISION (and Design) 	May 19, 2008	<p>Shirts; Pants; Jackets; Footwear; Hats; Headwear; Sweat shirts; Coats; Gloves in International Class 25</p> <p>Cable television broadcasting; Radio and television broadcasting services; Audio and video broadcasting services over the Internet in International Class 38</p> <p>Entertainment services, namely, an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation provided through television broadcasts, cable and satellite television, radio broadcasts, mobile communications devices,</p>

APPLICATION SERIAL NO., MARK AND DESIGN	FILING DATE	DESCRIPTION OF GOODS AND SERVICES
		wireless networks, and global computer networks; Entertainment services, namely, production of CDs, DVDs, videotapes, and pre-recorded digital media featuring an on-going series featuring automobiles, airplanes, motorcycles, boats, and other modes of transportation; Production of cable television programs in International Class 41

TABLE 1

2. Each of the Opposed Applications published for opposition in the November 25, 2008, edition of the *Official Gazette*.

3. On or about December 23, 2008, Opposer requested a ninety (90) day extension of time in which to file a Notice of Opposition to the registration of the marks in each of the Opposed Applications, which requests were subsequently granted.

4. Opposer's SPEED television network is a 24-hour cable television network featuring television programming about automotive subjects and motor sports and is currently available in more than 68 million homes in North America. Opposer also produces original television programming on its SPEED television network and sells and distributes merchandise associated with the television network and its television programs under its SPEED trademarks.

5. Opposer, or its predecessor in interest, owns several trademarks registered with the United States Patent and Trademark Office for a variety of goods and services that incorporate the word "SPEED" (collectively, the "SPEED Marks") and which are associated with Opposer's television network, including, but not limited to, SPEED, Reg. No. 3128705, for "production and distribution of television and radio programs featuring sports and entertainment" in International Class 41. Filed with this Notice of Opposition as "Exhibit A" is a true and

correct extraction from the PTO's TARR and TESS databases of Opposer's registered trademarks that incorporate the word "SPEED" and that are associated with Opposer's television channel. These registrations are valid, in full force and effect and are conclusive evidence of Opposer's rights to use the trademarks.

6. Opposer, or its predecessor in interest, also owns federal applications for trademarks incorporating the word "SPEED" covering a variety of goods and services, including services in International Class 41. Filed with this Notice of Opposition as "Exhibit B" is a true and correct extraction from the PTO's TARR and TESS databases of a pending application that incorporates the word "SPEED" and that is associated with Opposer's use of the SPEED trademarks for the television channel (the "SPEED Applications").

7. Opposer, or its predecessors in interest, have adopted and used the SPEED Marks throughout the world, including the United States, on or in connection with numerous products and services. Opposer's predecessor in interest, Speedvision Network, LLC, first used the trademark SPEEDVISION (the "SPEEDVISION Mark") to identify its products and services, at least as early as 1996, more than eleven (11) years before Applicant filed the Opposed Applications. By reason of such wide use of the SPEED Marks and the wide advertising and distribution of Opposer's goods and services bearing its SPEED Marks, consumers have come to recognize Opposer's marks as signifying Opposer and as identifying Opposer as the source of goods and services bearing the SPEED Marks.

8. Opposer retains significant residual goodwill in the SPEEDVISION Mark. In addition, Opposer holds valuable common law rights in the SPEEDVISION Mark.

9. Applicant's proposed marks, SPEEDVISION, SPEEDVISION HD and SPEEDVISION (and Design), are similar to Opposer's senior SPEED Marks and the marks

identified in the SPEED Applications, and are likely to be confused therewith. Applicant's proposed marks are deceptively similar to Opposer's SPEED Marks and the SPEED Applications, so as to cause confusion, mistake or deception as to the origin of Applicant's services, and are likely to cause irreparable harm to Opposer and to consumers.

10. The goods and services identified in each of the Opposed Applications are identical or similar to the services associated with Opposer's SPEED Marks and SPEED Applications and are of the type that are available in the same channels of trade and to the same prospective customers.

11. Applicant's proposed marks, SPEEDVISION, SPEEDVISION HD and SPEEDVISION (and Design), are identical or virtually identical to Opposer's SPEEDVISION Mark, and are likely to be confused therewith. Applicant's proposed marks are deceptively similar to Opposer's SPEEDVISION Mark, so as to cause confusion, mistake or deception as to the origin of Applicant's services and are likely to cause irreparable harm to Opposer and to consumers.

12. The goods and services identified in each of the Opposed Applications are identical or similar to the services associated with Opposer's SPEEDVISION Mark and are of the type that are available in the same channels of trade and to the same prospective customers.

13. If the Opposed Applications, or any of them, register, the public will reasonably believe that Applicant's services are provided by Opposer, all to the detriment of the consumers and Opposer.

14. Opposer's famous SPEED Marks will be diluted by the registration and/or use by Applicant of the Opposed Registrations, or any of them.

15. In addition to any rights arising from the registration of Opposer's marks, Opposer

has, with respect to its products and services, valid common law rights in its SPEED Marks, its Speedvision Mark, and all of them, as set forth above. Applicant's attempt to register the Opposed Applications is an act of bad faith that violates and derogates Opposer's rights, and is likely to cause confusion, mistake and deception among purchasers and users as to the source or origin of the products, thereby causing loss, damage and injury to Opposer and the consuming public.

16. If the Opposed Applications, or any of them, proceed to registration, Applicant would thereby obtain *prima facie* rights to use the mark in any of the Opposed Applications that are so registered. Such registrations would be a source of damage and injury to Opposer.

WHEREFORE Opposer requests that Serial Nos. 77476098, 77497086, 77476107 and 77478035 be rejected and registration thereof be denied, and that this Opposition be sustained in favor of Opposer.

Respectfully submitted,
SPEED CHANNEL, INC.

By: /Daniel E. Bruso/
Daniel E. Bruso, Esq.
Curtis Krechevsky, Esq.
Cantor Colburn LLP
20 Church Street
22nd Floor
Hartford, CT 06103-3207
Phone: 860-286-2929
Fax: 860-286-0115

Attorneys for Opposer
Speed Channel Inc.

Opposer's Reference No.: FEG0573OPPUS

CERTIFICATE OF SERVICE

I, Daniel E. Bruso, Esq., counsel to Speed Channel Inc. in the above-captioned proceeding, certify that, on the 25TH day of March, 2009, I served a copy of the foregoing Notice of Opposition, via first class mail, postage prepaid, upon the following entity, identified in the Opposed Application as the correspondence address:

Brian J. Hurh, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Ave NW Suite 200
Washington, DC 20006-3402

/Daniel E. Bruso/
Daniel E. Bruso

EXHIBIT A

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2009-03-25 10:01:13 ET

Serial Number: 78445034 Assignment Information Trademark Document Retrieval

Registration Number: 3128705

Mark

SPEED

(words only): SPEED

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-08-15

Filing Date: 2004-07-01

Transformed into a National Application: No

Registration Date: 2006-08-15

Register: Principal

Law Office Assigned: LAW OFFICE 101

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-08-15

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Speed Channel Inc.

Address:

Speed Channel Inc.
10201 West Pico Boulevard
Los Angeles, CA 90035
United States

Legal Entity Type: Corporation

Latest Status Info

State or Country of Incorporation: Delaware**Phone Number:** 310-369-5414**Fax Number:** 310-969-3095

GOODS AND/OR SERVICES

International Class: 041**Class Status:** Active

Production and distribution of television and radio programs featuring sports and entertainment

Basis: 1(a)**First Use Date:** 2002-02-18**First Use in Commerce Date:** 2002-02-18

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-02-21 - Applicant/Correspondence Changes (Non-Responsive) Entered

2007-02-21 - TEAS Change Of Owner Address Received

2006-08-15 - Registered - Principal Register

2006-07-03 - Assigned To Examiner

2006-05-23 - Published for opposition

2006-05-03 - Notice of publication

2006-04-04 - Law Office Publication Review Completed

2006-03-31 - Assigned To LIE

2006-03-17 - Approved for Pub - Principal Register (Initial exam)

2005-09-12 - LETTER OF SUSPENSION E-MAILED

2005-09-12 - Suspension Letter Written

2005-08-11 - Amendment From Applicant Entered

2005-08-05 - Communication received from applicant

<http://tarr.uspto.gov/servlet/tarr?regser=serial&entry=78445034>

3/25/2009

2005-08-05 - TEAS Response to Office Action Received

2005-02-07 - Non-final action e-mailed

2005-02-07 - Non-Final Action Written

2005-02-05 - Assigned To Examiner

2004-07-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Mei-lan Stark, Esq.
Fox Group Legal
Intellectual Property Dept.
P.O. Box 900
Beverly Hills CA 90213-0900
Phone Number: 310-369-5414
Fax Number: 310-969-3095



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Word Mark	SPEED
Goods and Services	IC 041, US 100 101 107. G & S: Production and distribution of television and radio programs featuring sports and entertainment. FIRST USE: 20020218, FIRST USE IN COMMERCE: 20020218
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78445034
Filing Date	July 1, 2004
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 23, 2006
Registration Number	3128705
Registration Date	August 15, 2006
Owner	(REGISTRANT) Speed Channel Inc. CORPORATION DELAWARE 10201 West Pico Boulevard Los Angeles CALIFORNIA 90035
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 78875963 Assignment Information Trademark Document Retrieval

Registration Number: 3302139

Mark



(words only): SPEED

Standard Character claim: No

Current Status: Registered.

Date of Status: 2007-10-02

Filing Date: 2006-05-03

Transformed into a National Application: No

Registration Date: 2007-10-02

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-10-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Speed Channel, Inc.

Address:

Speed Channel, Inc.
10201 West Pico Boulevard
Los Angeles, CA 90035
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 310-369-5414

Fax Number: 310-969-3095

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

Production and distribution of television and radio programs featuring motorsports and entertainment; entertainment services in the nature of television and radio programming featuring motorsports; providing on-line information in the field of motorsports and entertainment via the Internet and wireless devices

Basis: 1(a)

First Use Date: 2002-02-18

First Use in Commerce Date: 2002-02-18

ADDITIONAL INFORMATION

Design Search Code(s):

26.13.14 - Quadrilateral (three or more quadrilaterals); Three or more quadrilaterals

26.13.21 - Quadrilaterals that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-02 - Registered - Principal Register

2007-07-17 - Published for opposition

2007-06-27 - Notice of publication

2007-05-02 - Law Office Publication Review Completed

2007-05-02 - Assigned To LIE

2007-04-12 - Approved for Pub - Principal Register (Initial exam)

2006-10-12 - Letter of suspension e-mailed

2006-10-12 - Suspension Letter Written

2006-10-02 - Assigned To Examiner

2006-05-11 - Notice Of Design Search Code Mailed

2006-05-10 - New Application Entered In Tram

<http://tarr.uspto.gov/servlet/tarr?regser=serial&entry=78875963>

3/25/2009

ATTORNEY/CORRESPONDENT INFORMATION

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INTELLECTUAL PROPERTY DEPT.

P.O. BOX 900

BEVERLY HILLS, CA 90213-0900

Phone Number: 310-369-5414

Fax Number: 310-969-3095



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Word Mark	SPEED
Goods and Services	IC 041. US 100 101 107. G & S: Production and distribution of television and radio programs featuring motorsports and entertainment; entertainment services in the nature of television and radio programming featuring motorsports; providing on-line information in the field of motorsports and entertainment via the Internet and wireless devices. FIRST USE: 20020218. FIRST USE IN COMMERCE: 20020218
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.13.14 - Quadrilateral (three or more quadrilaterals); Three or more quadrilaterals 26.13.21 - Quadrilaterals that are completely or partially shaded
Trademark Search Facility	SHAPES Abstract shapes or designs
Classification Code	SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
Serial Number	78875963
Filing Date	May 3, 2006
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 17, 2007
Registration Number	3302139
Registration Date	October 2, 2007
Owner	(REGISTRANT) Speed Channel, Inc. CORPORATION DELAWARE 10201 West Pico Boulevard Los Angeles CALIFORNIA 90035
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 78094451 Assignment Information

Trademark Document Retrieval

Registration Number: 2780662

Mark



(words only): SPEED CHANNEL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-11-04

Filing Date: 2001-11-20

Transformed into a National Application: No

Registration Date: 2003-11-04

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-11-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. SPEED CHANNEL, INC.

Address:

SPEED CHANNEL, INC.
9711 SOUTHERN PINE BLVD
CHARLOTTE, NC 28273
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 038

Class Status: Active

Streaming of audio materials on the Internet and streaming of video materials on the Internet

Basis: 1(a)

First Use Date: 2002-02-18

First Use in Commerce Date: 2002-02-18

International Class: 041

Class Status: Active

Production and distribution of television and radio programs featuring sports and entertainment

Basis: 1(a)

First Use Date: 2002-02-18

First Use in Commerce Date: 2002-02-18

ADDITIONAL INFORMATION

Disclaimer: "CHANNEL"

Lining and Stippling: The lining is a feature of the mark and does not indicate color.

Design Search Code(s):

26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2003-11-21 - TEAS Change Of Correspondence Received

2003-11-04 - Registered - Principal Register

2003-08-26 - Allowed for Registration - Principal Register (SOU accepted)

2003-08-19 - Assigned To Examiner

2003-08-18 - Case File In TICRS

2003-08-09 - Statement of use processing complete

2003-06-06 - Amendment to Use filed

2003-06-05 - TEAS Statement of Use Received
2003-02-18 - Noa Mailed - SOU Required From Applicant
2002-11-26 - Published for opposition
2002-11-06 - Notice of publication
2002-09-30 - Approved for Pub - Principal Register (Initial exam)
2002-09-12 - Assigned To Examiner
2002-08-19 - Communication received from applicant
2002-08-19 - TEAS Response to Office Action Received
2002-03-11 - Non-final action e-mailed
2002-03-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Jon Del Barrio, Esq.
Fox Group Legal
Intellectual Property Dept.
P.O. Box 900
Beverly Hills CA 90213-0900
Phone Number: 310-369-5414
Fax Number: 310-969-3095



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Word Mark	SPEED CHANNEL
Goods and Services	IC 038. US 100 101 104. G & S: Streaming of audio materials on the Internet and streaming of video materials on the Internet. FIRST USE: 20020218. FIRST USE IN COMMERCE: 20020218
	IC 041. US 100 101 107. G & S: Production and distribution of television and radio programs featuring sports and entertainment. FIRST USE: 20020218. FIRST USE IN COMMERCE: 20020218
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number	78094451
Filing Date	November 20, 2001
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	November 26, 2002
Registration Number	2780662
Registration Date	November 4, 2003
Owner	(REGISTRANT) SPEED CHANNEL, INC. CORPORATION DELAWARE 9711 SOUTHERN PINE BLVD CHARLOTTE NORTH CAROLINA 28273
Assignment Recorded	ASSIGNMENT RECORDED
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHANNEL" APART FROM THE MARK AS SHOWN
Description of Mark	The lining is a feature of the mark and does not indicate color.

Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 78221086 Assignment Information Trademark Document Retrieval

Registration Number: 2805030

Mark (words only): SPEED ON DEMAND

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-01-13

Filing Date: 2003-03-03

Transformed into a National Application: No

Registration Date: 2004-01-13

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-20

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Speed Channel, Inc.

Address:

Speed Channel, Inc.
10000 Santa Monica Boulevard
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 310-369-5414

Fax Number: 310-969-3095

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

Entertainment services in the nature of sports television programs available via a global communications network

Basis: 1(a)

First Use Date: 2002-03-31

First Use in Commerce Date: 2002-03-31

ADDITIONAL INFORMATION

Disclaimer: "ON DEMAND"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2004-01-13 - Registered - Principal Register

2003-10-21 - Published for opposition

2003-10-01 - Notice of publication

2003-08-28 - Approved for Pub - Principal Register (Initial exam)

2003-08-22 - Examiners amendment e-mailed

2003-08-20 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Jon Del Barrio

Fox Group

P.O. Box 900 Intellectual Property Dept.

Los Angeles CA USA 90213-0900

Phone Number: 310-369-5414

Fax Number: 310-969-3095



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Typed Drawing

Word Mark	SPEED ON DEMAND
Goods and Services	IC 041, US 100 101 107, G & S: Entertainment services in the nature of sports television programs available via a global communications network. FIRST USE: 20020331, FIRST USE IN COMMERCE: 20020331
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78221086
Filing Date	March 3, 2003
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	October 21, 2003
Registration Number	2805030
Registration Date	January 13, 2004
Owner	(REGISTRANT) Speed Channel, Inc. CORPORATION DELAWARE 10000 Santa Monica Boulevard Los Angeles CALIFORNIA 90067
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ON DEMAND" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 78944567 Assignment Information Trademark Document Retrieval

Registration Number: 3318207

Mark

SPEED REPORT

(words only): SPEED REPORT

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2007-10-23

Filing Date: 2006-08-03

Transformed into a National Application: No

Registration Date: 2007-10-23

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-10-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Speed Channel, Inc.

Address:

Speed Channel, Inc.
10201 West Pico Boulevard
Los Angeles, CA 90035
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware
Phone Number: 310-369-5414
Fax Number: 310-969-3095

GOODS AND/OR SERVICES

International Class: 041
Class Status: Active
Entertainment services in the nature of an ongoing television program featuring sports
Basis: 1(a)
First Use Date: 2006-08-06
First Use in Commerce Date: 2006-08-06

ADDITIONAL INFORMATION

Disclaimer: "REPORT"

Prior Registration Number(s):
3103094
3128705
3142827

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-23 - Registered - Principal Register
2007-08-07 - Published for opposition
2007-07-18 - Notice of publication
2007-07-02 - Law Office Publication Review Completed
2007-06-27 - Approved for Pub - Principal Register (Initial exam)
2007-06-19 - Teas/Email Correspondence Entered
2007-06-19 - Communication received from applicant
2007-06-19 - TEAS Response to Office Action Received
2006-12-22 - Non-final action e-mailed
2006-12-22 - Non-Final Action Written

2006-12-22 - Amendment to Use approved
2006-12-21 - Assigned To Examiner
2006-12-06 - Amendment to use processing complete
2006-11-14 - Amendment to Use filed
2006-12-06 - Teas/Email Correspondence Entered
2006-12-06 - Communication received from applicant
2006-12-06 - Assigned To LIE
2006-11-14 - TEAS Amendment of Use Received
2006-08-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

MEI-LAN STARK

Correspondent

MEI-LAN STARK
FOX GROUP LEGAL
PO BOX 900
INTELLECTUAL PROPERTY DEPT
BEVERLY HILLS, CA 90213-0900
Phone Number: 310-369-5414
Fax Number: 310-969-3095



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SPEED REPORT

Word Mark	SPEED REPORT
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services in the nature of an ongoing television program featuring sports. FIRST USE: 20060806. FIRST USE IN COMMERCE: 20060806
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78944567
Filing Date	August 3, 2006
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	August 7, 2007
Registration Number	3318207
Registration Date	October 23, 2007
Owner	(REGISTRANT) Speed Channel, Inc. CORPORATION DELAWARE 10201 West Pico Boulevard Los Angeles CALIFORNIA 90035
Attorney of Record	MEI-LAN STARK
Prior Registrations	3103094;3128705;3142827
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "REPORT" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 77053115 Assignment Information Trademark Document Retrieval

Registration Number: 3463037

Mark

SPEED ROAD TOUR CHALLENGE

(words only): SPEED ROAD TOUR CHALLENGE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2008-07-08

Filing Date: 2006-11-29

Transformed into a National Application: No

Registration Date: 2008-07-08

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-06-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Speed Channel, Inc.

Address:

Speed Channel, Inc.
10201 West Pico Boulevard
Los Angeles, CA 90035
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 310-369-5414

Fax Number: 310-969-3095

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

Entertainment services in the nature of a television series in the reality genre

Basis: 1(a)

First Use Date: 2007-02-15

First Use in Commerce Date: 2007-02-15

ADDITIONAL INFORMATION

Disclaimer: "ROAD TOUR CHALLENGE"

Prior Registration Number(s):

3128705

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-07-08 - Registered - Principal Register

2008-06-05 - Law Office Registration Review Completed

2008-06-05 - Assigned To LIE

2008-06-05 - Allowed for Registration - Principal Register (SOU accepted)

2008-06-04 - Statement of use processing complete

2008-06-04 - Extension 1 granted

2008-05-30 - Amendment to Use filed

2008-05-30 - Extension 1 filed

2008-05-30 - TEAS Extension Received

2008-05-30 - TEAS Statement of Use Received

2008-01-22 - Noa Mailed - SOU Required From Applicant

2007-10-30 - Published for opposition

2007-10-10 - Notice of publication

2007-09-21 - Law Office Publication Review Completed

2007-09-21 - Assigned To LIE

2007-08-16 - Approved for Pub - Principal Register (Initial exam)

2007-08-08 - Teas/Email Correspondence Entered

2007-08-08 - Communication received from applicant

2007-08-08 - TEAS Response to Office Action Received

2007-03-29 - Non-final action e-mailed

2007-03-29 - Non-Final Action Written

2007-03-26 - Assigned To Examiner

2006-12-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

MEI-LAN STARK
FOX GROUP LEGAL
INTELLECTUAL PROPERTY DEPT.
P.O. BOX 900
BEVERLY HILLS, CA 90213-0900
Phone Number: 310-369-5414
Fax Number: 310-969-3095



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SPEED ROAD TOUR CHALLENGE

Word Mark	SPEED ROAD TOUR CHALLENGE
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services in the nature of a television series in the reality genre. FIRST USE: 20070215. FIRST USE IN COMMERCE: 20070215
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77053115
Filing Date	November 29, 2006
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	October 30, 2007
Registration Number	3463037
Registration Date	July 8, 2008
Owner	(REGISTRANT) Speed Channel, Inc. CORPORATION DELAWARE 10201 West Pico Boulevard Los Angeles CALIFORNIA 90035
Prior Registrations	3128705
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ROAD TOUR CHALLENGE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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EXHIBIT B

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Serial Number: 78969990 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SPEED GARAGE

(words only): SPEED GARAGE

Standard Character claim: Yes

Current Status: A request for the second extension of time to file a statement of use has been granted.

Date of Status: 2008-11-24

Filing Date: 2006-09-08

The Notice of Allowance Date is: 2007-12-04

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
MARTIN EUGENIA K

Current Location: 700 -Intent To Use Section

Date In Location: 2008-11-24

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Speed Channel, Inc.

Address:
Speed Channel, Inc.
10201 West Pico Boulevard
Los Angeles, CA 90035
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 310-369-5414
Fax Number: 310-969-3095

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

Entertainment services in the nature of providing television programs and downloadable television programs featuring automotive repairs via the Internet; entertainment services in the nature of video programs featuring motor vehicles transmitted via wireless communication devices, namely cell phones, personal digital assistants, computers, and wireless handhelds; production and distribution of audio visual entertainment namely, video programs featuring motor vehicles transmitted via mobile communication devices, namely cell phones, personal digital assistants, computers, and wireless handhelds

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

3103094

3128705

3142827

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-11-24 - Extension 2 granted

2008-11-20 - Extension 2 filed

2008-11-24 - Case Assigned To Intent To Use Paralegal

2008-11-20 - TEAS Extension Received

2008-05-15 - Extension 1 granted

2008-05-05 - Extension 1 filed

2008-05-05 - TEAS Extension Received

2007-12-04 - Noa Mailed - SOU Required From Applicant

Latest Status Info

2007-09-11 - Published for opposition
2007-08-22 - Notice of publication
2007-08-08 - Law Office Publication Review Completed
2007-08-08 - Assigned To LIE
2007-06-23 - Approved for Pub - Principal Register (Initial exam)
2007-06-22 - Examiner's Amendment Entered
2007-06-22 - Notification Of Examiners Amendment E-Mailed
2007-06-22 - EXAMINERS AMENDMENT E-MAILED
2007-06-22 - Examiners Amendment -Written
2006-12-22 - Non-final action e-mailed
2006-12-22 - Non-Final Action Written
2006-12-21 - Assigned To Examiner
2006-09-13 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

MEI-LAN STARK
FOX GROUP LEGAL
PO BOX 900
INTELLECTUAL PROPERTY DEPT
BEVERLY HILLS, CA 90213-0900
Phone Number: 310-369-5414
Fax Number: 310-969-3095



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SPEED GARAGE

Word Mark SPEED GARAGE

Goods and Services IC 041. US 100 101 107. G & S: Entertainment services in the nature of providing television programs and downloadable television programs featuring automotive repairs via the Internet; entertainment services in the nature of video programs featuring motor vehicles transmitted via wireless communication devices, namely cell phones, personal digital assistants, computers, and wireless handhelds; production and distribution of audio visual entertainment namely, video programs featuring motor vehicles transmitted via mobile communication devices, namely cell phones, personal digital assistants, computers, and wireless handhelds

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78969990

Filing Date September 8, 2006

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition September 11, 2007

Owner (APPLICANT) Speed Channel, Inc. CORPORATION DELAWARE 10201 West Pico Boulevard Los Angeles CALIFORNIA 90035

Prior Registrations 3103094;3128705;3142827;AND OTHERS

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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